

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
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DATE FILED: 11-26-19

DANIEL EGIPCIACO,  
Plaintiff,

16-cv-5024 (JGK)

- against -

ORDER

UNITED STATES OF AMERICA,

Defendant.

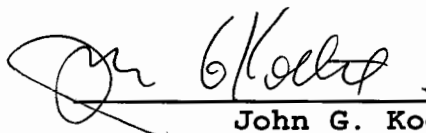
JOHN G. KOELTL, District Judge:

On October 10, 2019, the mandate of the Court of Appeals issued, in which the Court granted the petitioner's motion for leave to file a successive 28 U.S.C. § 2255 motion and transferred the proceedings to this Court. The Court welcomes the parties' suggestions as to a proper order to be entered at this point and whether the proceedings should be terminated as moot.

The Court notes that it signed the Amended Judgment in this case on October 2, 2019 (entered on October 8, 2019) in which the Court noted that the amended judgment was entered pursuant to 28 U.S.C. § 2255, the Government consented to vacate the conviction on Count 3, and the Court granted the Government's nolle prosequi of the felony information. The parties should respond by December 6, 2019.

SO ORDERED.

Dated: New York, New York  
November 25, 2019



John G. Koeltl  
United States District Judge